

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DUSTIN A. JACOBSEN,

Plaintiff,

V.

NEBRASKA DEPARTMENT OF  
CORRECTIONS, Tecumseh State  
Correctional In., FRED BRITTEN,  
Warden, and SHAWN SHERMAN,  
Unit Manager,

Defendants.

4:07CV3275

# MEMORANDUM AND ORDER

Plaintiff has responded to the court's order directing that a new motion for leave to proceed in forma pauperis ("IFP") be filed. (Filing No. 10.) Upon review of the record, the new motion for leave to proceed IFP is granted, and Plaintiff is relieved of any liability for the unpaid balance of the filing fee. *See, e.g., McGann v. Comm'r, Social Security Admin.*, 96 F.3d 28, 30 (2d Cir. 1996) ("A released prisoner may litigate without further payment of fees upon satisfying the poverty affidavit requirement applicable to all non-prisoners.")

IT IS THEREFORE ORDERED that: Plaintiff's Motion for Leave to Proceed IFP (Filing No. 10) is granted.

March 3, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge